Case 2:22-cv-00250-ABJ Document 14 Filed 11/28/22 Page 1 of 96 FILED U.S. DISTRICT COURTS DISTRICT OF WYOMING NOV 2 8 2022 DISTATO CH no. Margaret Botkins, Clerk Cheyenne Police which should be 10,000 pges long but theyre Au hineel to kell know 4 her long Hers now Ivanla Trump Janed Kushvens BARRIE MITCHELLE & SASHA & Malia ODMINI Y Enyafamers Perjuny in 18 USC 2016 The Perjuny in 18 USC 2016 The Undersigned centifies that the STA tements hence Ane true to The Best I her knowledge of Experience with Homeland DNISDON - Hand Kimberly J. Storey **Notary Public** County of Laramie Notary Public My Commission Expires: MIA 17014

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1. infringement (of copyright)

# Infringement (of copyright)

# Primary tabs

Generally, an <u>infringement</u> refers to the <u>act</u> of <u>unlawful copying</u> of material under <u>intellectual property law</u>. It is an act that interferes with the right of intellectual property <u>ownership</u>.

In a copyright infringement matter, the <u>plaintiff</u> would need to establish:

- Valid copyright ownership
- The copying of <u>elements</u> of the original copyrighted work

### A copyright owner has the following rights:

- To reproduce the work
- · To prepare derivative works based on the original work
- To <u>distribute</u> copies of the copyrighted work
- · To perform certain copyright works in public
- To demonstrate certain copyrighted works in public
- To perform the copyrighted work for sound recordings
- To import copies into the United States

In order to bring a copyright infringement claim, the plaintiff must prove that they hold the

copyright interest through creation, assignment, or license.

The plaintiff must also plead that the complaint is of an *unlawful copy* of the original element of the copyrighted work. To constitute an infringement, the derivative work must be based upon the copyrighted work. Although the <u>Copyright Act</u> does not provide an explicit definition of infringement, it is understood that unauthorized usage of the copyrighted material is inconsistent with the exclusive enumerated rights. This constitutes copyright infringement under federal law. See: <u>Teleprompter Corp. v. Columbia Broadcasting System, Inc.</u>

[Last updated in April of 2022 by the Wex Definitions Team]

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F

Federal law provides a copyright owner the exclusive right to use copyrighted materials for a wide range of purposes, including exhibiting or performing the work, making and distributing copies of the work, and creating derivative works from the original. Use of a copyrighted work without the owner's permission is known as copyright infringement.

A copyright owner can sue for an injunction to prohibit further unauthorized use of the copyrighted materials by the defendant, and to recover damages. A plaintiff alleging copyright infringement in a civil lawsuit must establish two elements by a preponderance of the evidence. The Department of Justice can establish criminal copyright infringement by proving the same elements, plus two additional elements, all beyond a reasonable doubt.

### Elements of a Civil Copyright Infringement Claim

The plaintiff in a copyright infringement lawsuit has the burden of proving two elements: that they own a copyright, and that the defendant infringed it.

1. The Plaintiff Owns a Valid Copyright

To establish ownership of a valid copyright, a plaintiff must demonstrate that the work is original, and that it is subject to legal protection. Copyright law protects "original works of authorship" that exist—or could exist—in a "tangible medium of expression." This includes books and other literary works, musical compositions, musical recordings, visual works like paintings or photographs, films and videos, and computer code. The U.S. Supreme Court has held that "[o]riginality is a constitutional requirement" in copyright law, and it "requires independent creation plus a modicum of creativity." Feist Publications, Inc. v. Rural Tel. Serv. Co., 499 U.S. 340, 346 (1991).

Certain works are not subject to copyright protection. These include:

- Logos, business names, or brand names, which might be subject to trademark protection;
- Processes or systems, which might be subject to patent protection;
- Information that is generally known to the public;
- Statutes, court decisions, and other public materials; and
- Ideas and concepts.

In Baker v. Selden, 101 U.S. 99 (1879), the Supreme Court held that, while a book describing a particular system or process could be protected by copyright, that protection does not extend to the system or process itself. Next, the plaintiff must establish that they have complied with the formal requirements found in federal copyright law for giving notice about a copyright. Registering a work with the U.S. Copyright Office is not necessarily required, but it creates rebuttable presumptions as to both validity and ownership.

The Supreme Court rejected "common law copyright" for published works, meaning the right of the creator of a work to control it without following statutory procedures, in Wheaton v. Peters, 33 U.S. 591 (1834). Unpublished works can still be subject to protection without being registered. Since the Constitution gives Congress the power to establish copyright laws, the Court

held that once a creator has "published their work to the world," id. at 657, they must abide by the procedures set by statute.

1. The Defendant Infringed the Plaintiff's Copyright
The plaintiff must prove that the defendant violated their exclusive rights to
the copyrighted work. Some situations are relatively easy to prove, such as
the display of a copyrighted photograph, the broadcast of a copyrighted
video, or the performance of a copyrighted play without authorization. In
situations that involve unauthorized copying of a copyrighted work, or
unauthorized creation of a derivative work, establishing infringement can be
much more challenging.

Circumstantial evidence may assist a plaintiff in proving that the defendant copied their work. The plaintiff can show "substantial similarity" between the copyrighted work and the defendant's work, along with evidence that the defendant saw the copyrighted work or had access to it before creating their work. This can help establish that the defendant actually used the copyrighted work. Without evidence that the defendant had access to the work, the plaintiff must show a "striking similarity" between the two works. A person does not infringe a copyright merely by using information contained in a copyrighted work. In the Feist case cited above, the Court held that a telephone directory was protected by copyright as a whole, since the telephone company expended effort on compiling the information and presenting it in a particular format. Using names and addresses contained within the directory, however, was not copyright infringement. Additional Elements for Criminal Copyright Infringement Copyright infringement could be a criminal offense if the alleged infringer meets two additional elements.

### 1. The Defendant Acted Willfully

A "willful" act, in this context, means that a person acted intentionally in a way that violated the law. Federal appellate courts are split on what prosecutors must prove:

- The defendant willfully copied or otherwise used the copyrighted work,
- The defendant willfully infringed the copyright.

Most courts have adopted the latter standard, requiring proof beyond a reasonable doubt that a defendant intended to infringe a copyright.

1. The Defendant Sought "Commercial Advantage or Private Financial Gain"

Prosecutors must show that a defendant intended to make money or obtain some other gain from their infringement. It is not necessary to show that they actually gained anything.

Federal law includes two alternatives to the "commercial advantage" element that could also establish criminal copyright infringement:

• The defendant made copies of copyrighted works with a combined retail value of at least \$1,000 during a period of 180 days; or

 The defendant made a work available to the public on a computer network, with knowledge that the copyright owner intended to distribute it commercially in the near future.



Its A VIOlutzon of Copyinght & Slageuren (Exhibit A) That Charla Kachimer owns hondreds

Dispensayies that she

Dees not pay my taxes on

and the Police Blocked KAROUS SEARCH for Ourcleaf Desponsaties from The Cheyenne wy Compoters in the library where Placelimin PUTIN & BANNER OTSTA put malware with The Knowledge & help of The Ochmoians, (ghirsit B)

This is what CAME UP WHEN KAROL TRIED TO ACCESS CURELEAF DISPENSARIES OWNED BY INANLA TRUMP KASHIMER IN PHOENIX AZ. IT HAPPENS ALL THE TIME. THE ENTIRE COMPANY IS BASED OF FRAUD AND MADE IN CHINA WITH FORGED GRANT MONEY FROM THE UNITED STATES.

Warning: Potential Security Risk Ahead

Firefox detected an issue and did not continue to ckr01.lclsonline.org. The website is either misconfigured or your computer clock is set to the wrong time.

It's likely the website's certificate is expired, which prevents Firefox from connecting securely. If you visit this site, attackers could try to steal information like your passwords, emails, or credit card details.

What can you do about it?

The issue is most likely with the website, and there is nothing you can do to resolve it. You can notify the website's administrator about the problem.

Learn more...

Websites prove their identity via certificates, which are valid for a set time period. The certificate for ckr01.lclsonline.org expired on 3/26/2022.

Error code: SEC\_ERROR\_EXPIRED\_CERTIFICATE

View Certificate



# Michelle Little

3650 Walapai Dr. Flagstaff, AZ 86001 928-326-7500 littlemichelle664@gmail.com

### **EXPERIENCE**

Lundstrom Car Wash, Phoenix, AZ
Detailer
March 2011-April 2012
Detailed inside and outside cars

Denny's, Prescott, AZ
Line Cook
June 2002-July 2003
Prepped food cooked food to guest orders
Cleaned and sanitized surfaces
Pulled and stocked line

Seven Crowns Resorts
Lake Mead Marina, NV & Echo Bay, NV
Line Cook, Prep Cook, & Dishwasher
April 1995-June 1999
Cooked orders and prepped food
Operated dishwasher
Cleaned utensils, pots and pans
Sanitized surfaces

Motel 6 Housekeeper March 2000 - April-2001 Cleaned rooms

### **EDUCATION**

Flowing Wells High School Tucson, AZ 1986-1990 GED

Le Cordon Bleu Culinary Scottsdale, AZ 2011 March - 2011 July No degree

### **SKILLS**

Food preparation Phone order Inventory Hostessing

REFERENCES AVAILABLE UPON REQUEST





Payment Submitted For: Thunder Mountain Apartments

Shown on Statement as	Payment Number	Payment Amount	Convenience Fee	Payment Total
MA - Thunder Mountain Oper	1527148100	\$50.00	\$6.95	\$56.95

Payment Type: Mastercard

Payment Date: 06/27/2022 11:42 AM MDT

Meghan Fogarty

Thunder Mountain Apartments

### **Application Submitted For: Thunder Mountain Apartments**

Date Submitted: Mon, Jun 27, 2022 11:42 AM MDT IP Address:24.156.38.120 Thank you for your rental application for Thunder Mountain Apartments.

	Basic Info	rmation	
Application ID	17272272		
Name :	Meghan Reynolds Fogarty	Applicant Type :	Primary
Email:	MeghanRFogarty@outlook.com		
	Birth Date :	08/04/1973	
Mobile :	(928) 266-8783		

Pref	erences
Lead Source	Website
Desired Lease Length :	12 months

**Unit Info** 

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<strong>Secure .gov websites use HTTPS</strong>

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          </head>
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          <div class="usa-accordion">
          <header class="usa-banner_header">
          <div class="usa-banner inner">
          <div class="grid-col-auto">
          <img class="usa-banner_header-flag" src="/sites/all/themes/justice/images/us_flag_small.png" alt="U.S. flag">
          </div>
          <div class="grid-col-fill tablet:grid-col-auto">
          <pclass="usa-banner header-text">An official website of the United States government
          Here's how you know
          </div>
          <button class="usa-accordion_button usa-banner_button" aria-expanded="false" aria-controls="gov-banner">
          <span class="usa-banner__button-text">Here&rsquo;s how you know</span>
          </button>
          </div>
          </header>
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          <div class="usa-media-block__body">
          >
          <strong>Official websites use .gov</strong>
          A <strong>.gov</strong> website belongs to an official government organization in the United States. 
          </div>
          </div>
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<[i class="menu-51706 menu-path-node-1206021 even "><a href="/history" title="">History</a>>

class="menu-89781 menu-path-node-1666 odd last"><a href="/opel">Privacy Program</a>

class="menu-1260 menuparent menu-path-node-33666-chart even ">a href="/agencies/chart" title="">Our Agency</a>class="menu-9686 menu-path-reference of the control of the contr General</a>

class="menu-90596 menu-path-node-33666-chart even "><a href="/agencies/chart" title="">Organizational Chart</a>

li class="menu-90591 menu-path-node-924706 odd last"><a href="/agencies/alphabetical-listing-components-programs-initiatives" title="">Alphabetical Listing</a>

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**United States Department of Justice** 

# Contact the Department of Justice to report a civil rights violation

(7)

# Review your report

Before you submit your report, please check your responses

If you need to make any changes, you can go back and edit the previous pages. Please make sure your information is accurate. This allows us to respond to your report quickly.

**Contact** 

### **Contact information**

Your name

karol magistrelli

**Email address** 

magistrellikarol13@gmail.com

**Phone number** 

4802590618

**Address** 

1504 stinson ave

cheyenne, Wyoming -

Are you now or have ever been an active duty service member?

No

# **Primary concern**

What is your primary reason for contacting the Civil Rights Division?

Something else happened

# Location

Where did this happen?

**Organization name** 

judge james block zagel

**Address** 

219 s. dearborn street

chicago, Illinois

# Personal characteristics

Do you believe any of these personal characteristics influenced why you were treated this way?

Family, marital, or parental status

Other reason

**Date** 

### When did this happen?

8/11/2022

# **Personal description**

In your own words, describe what happened

Judge Zagel according to Homeland Security witness protection team civil rights division told me forged a motion for status quo and is giving away my 1 million dollar inheritance from my father, my 2 inheritences from 2 uncles, my SEC and IRS awards, my tax refunds and my entire JUDGMENT FUND FROM OPERATION GOLIATH A 14 YEAR FIASCO WHERE THE GOVT WANTS TO STEAL EVERY DIME AND MAKE ME INDIGENT FOREVER.

I'm told that Judge Snow from Phoenix district court will come to wy to dismiss everything as he was forging child support orders on me monthly x2 years and now the Tallahassee police dept is forging them in order to retaliate for my turning in org crime. I cannot stop the retaliation. Ivanka trump kishmer is on ice I believe but kept up a running dialogue coming afger me with aggravated battery and assault daily and stole all the money listed above before her death. Im left with only 848.00 a month from my extorted SSA money and I do not owe child support, judge zagel has 2 orders that he va-

cated it as far back as 2009. twice. but nobody wants to believe it as they just want my money and maimed my daughters in the process to shut me up forever.



## U.S. Department of Justice

# **Civil Rights Division**

Contact		Links		
_		process;		
	U.S. Department of Justice	ABOUT THE DIVISION	JUSTICE.GOV/CRT	
	Civil Rights Division 950 Pennsylvania Avenue, NW	REPORT A VIOLATION	OFFICE OF INSPECTOR GENERAL	
	Washington, D.C. 20530-0001	PRIVACY POLICY		
_			BUDGET AND	
B	(202) 514-3847	FOIA	PERFORMANCE	
	1-855-856-1247 (toll-free) Telephone Device for the Deaf	ACCESSIBILITY	LEGAL POLICIES AND	
	(TTY) (202) 514-0716	JUSTICE.GOV		
			USA.GOV	
<b>(#)</b>	<u>Availability of Language</u>		USAGOV EN ESPAÑOL	
	Assistance Services			

# **Privacy Policy**

The purpose of and form is to unot the public to seating earning completing to the

Department of Justice, thereby allowing us to enforce over thirty <u>civil rights statutes</u> within our authority. These statutes authorize us to collect this information. You should know that any information you provide through this form is voluntary, yet failure to provide some of the information might limit the Department's ability to pursue your claim. We may use this information for certain routine uses, including sharing this information under certain circumstances with:

- · contractors who work with us, if they need it to perform a contract;
- a court, magistrate, or administrative tribunal, as well as opposing counsel during settlement negotiations and/or litigation;
- Members of Congress;
- Federal, state, or local law enforcement agencies.

You can find our complete Privacy Policy here.

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'https://www.googletagmanager.com/gtm.js?id='+i+dl;f.parentNode.insertBefore(
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| Department of Justice">
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Department of Justice">
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school, voting, businesses, healthcare, public spaces, and more.">

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Step 7: Review Contact the Civil Rights Division | Department of Justice
</title>

%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file s/styles.css">

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s/us flag small.png" alt="U.S. flag">
    </div>
    <div class="grid-col-fill tablet:grid-col-auto">
     An official website of the United
States government
     Here's how you
know
   </div>
    <button class="usa-accordion_button usa-banner_button how-you-know-</pre>
dropdown" aria-expanded="false" aria-controls="gov-banner">
      <span class="usa-banner button-text">Here's how you know</span>
   </button>
<div class="grid-col-fill language-selection">
    <div class="grid-col-auto language-selection inner">
      <img src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/globe-language-white.svg" alt="language" class="icon">
      <form id="language selection form" action="/il8n/setlang/"</pre>
method="post" class="usa-form"><input type="hidden"
name="csrfmiddlewaretoken"
value="MeopjhB0EROVCY4V3GP1YN26VLrTBMQW9hAH6BVwQq8sZjW1QyTqPtQQO0yfH389">
     <input id="language input" name="language" type="hidden">
         <button aria-label="Spanish" class="usa-banner _button language-</pre>
selection button " data-value="es">
           <span class="usa-banner button-text">español</span>
         </button>
```

```
<button aria-label="English" class="usa-banner button language-</pre>
selection button language-selection button-active" data-value="en">
            <span class="usa-banner button-text">English</span>
          </button>
          <button aria-label="Traditional Chinese" class="usa-banner button</pre>
language-selection__button " data-value="zh-hant">>
            <span class="usa-banner__button-text"/ 繁體中文</span>
          </button>
          <button aria-label="Simplified Chinese" class="usa-banner button</pre>
language-selection button "data-value="zh-hans">
            <span class="usa-banner__button-text">简体中文</span>
          </button>
          <button aria-label="Vietnamese" class="usa-banner button language-</pre>
selection button " data-value="vi">
            <span class="usa-banner button-text">Tiêng Việt</span>
          </button>
          <button aria-label="Korean" class="usa-bamer button language-</pre>
selection button " data-value="ko">
            <span class="usa-banner button-text/>한국어</span>
          </button>
          <button aria-label="Tagalog" class="usa-banner button language-</pre>
selection_button " data-value="tl">
            <span class="usa-banner button-text">Tagalog</span>
          </button>
      </form>
    </div>
</div>
  </div>
</header>
    <div class="usa-banner content usa-accordion content" id="gov-banner"</pre>
hidden="">
      <div class="grid-row grid-gap-lg">
<div class="usa-banner_guidance tablet:grid-col-6">
  <img class="usa-banner__icon usa-media-block__img"</pre>
src="Step%207%20Review%20-
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/icon-dot-gov.svg" role="img" alt="" aria-hidden="true">
  <div class="usa-media-block__body">
    >
      <strong>Official websites use .gov</strong>
      <br/>cbr>A <strong>.gov</strong> website belongs to an official government
organization in the United States.
    </div>
</div>
```

```
<div class="usa-banner__guidance tablet:grid-col-6">
  <img class="usa-banner__icon usa-media-block__img"</pre>
src="Step%207%20Review%20-
$20Contact $20the $20Civil $20Rights $20Division $20Department $20of $20Justice file
s/icon-https.svg" role="img" alt="" aria-hidden="true">
  <div class="usa-media-block body">
    >
      <strong>Secure .gov websites ose HTTPS</strong>
      <br>
      A <strong>lock</strong> (
      <span class="icon-lock"><svg xmlns="http://www.w3.org/2000/svg"</pre>
width="52" height="64" viewBox="0 0 52 64" class="usa-banner lock-image"
role="img" aria-labelledby="banner-lock-title-default banner-lock-
description-default" focusable="false">
    <title id="banner-lock-title-default">Lock</title>
    <desc id="banner-lock-description-default">A locked padlock</desc>
    <path fill="#000000" fill-rule="evenodd" d="M26 0c10.493 0 19 8.507 19</pre>
19v9h3a4 4 0 0 1 4 4v28a4 4 0 0 1-4 4H4a4 4 0 0 1-4-4V32a4 4 0 0 1 4-4h3v-9C7
8.507 15.507 0 26 0zm0 8c-5.979 0-10.843 4.77-10.996 10.712L15 19v9h22v-9c0-
6.075-4.925-11-11-11z"></path>
  </svq></span>
      ) or <strong>https://</strong> means you've safely connected to the
.gov website. Share sensitive information only on official, secure websites.
 </div>
</div>
      </div>
    </div>
 </div>
</section>
```

```
</h1>
    </div>
   </div>
<div class="grid-row grid-gap progress-bar">
 <div class="tablet:grid-col-10 tablet:grid-offset-1">
   <div aria-label="progress">
    <span class="usa-sr-only">
       Current step: Review. Step 7 of 7.
    </span>
    <div class="step-text">
            Contact
         </div>
          <span class="usa-sr-only">
             completed
          </span>
       <div class="step-text">
            Primary concern
         </div>
          <span class="usa-sr-only">
             completed
          </span>
       <div class="step-text">
            Location
         </div>
```



```
<span class="usa-sr-only">
     completed
  </span>
<div class="step-text">
    Personal characteristics
 </div>
  <span class="usa-sr-only">
     completed
  </span>
<div class="step-text">
    Date
 </div>
  <span class="usa-sr-only">
     completed
  </span>
<div class="step-text">
    Personal description
 </div>
  <span class="usa-sr-only">
     completed
```



```
</span>
         <div class="step-text">
               Review
           </div>
         <div class="connecting-line"></div>
    </div>
  </div>
</div>
 </div>
</header>
    <main id="main-content">
 <div class="grid-container">
    <div class="grid-row grid-gap">
      <div class="tablet:grid-col-8 tablet:grid-offset-2">
          <form id="report-form" class="usa-form" action="" method="post"</pre>
novalidate="">
         <input type="hidden" name="csrfmiddlewaretoken"</pre>
value="MeopjhB0EROVCY4V3GP1YN26VLrTBMQW9hAH6BVwQq8sZjW1QyTqPtQQ00yfH389">
         <input type="hidden" name="crt report wizard-current step"</pre>
value="11" id="id crt report wizard-current step">
 <div class="crt-portal-card">
   <div class="crt-portal-card__content crt-portal-card__content--lg margin-</pre>
bottom-3">
           <h2 class="h1">Review your report</h2>
       <h3 class="question--header display-block margin-bottom-1">Before you
submit your report, please check your responses</h3>
```

If you need to make any changes, you can go

back and edit the previous pages. Please make sure your information is

```
accurate. This allows us to respond to your report quickly.
        <input id="submit-next-top" type="submit" value="Submit report"</pre>
class="usa-button">
    </div>
</div>
<div class="crt-portal-card">
  <div class="crt-portal-card content crt-portal-card content--lg margin-</pre>
bottom-3">
    <div class="button--review">
  <button name="wizard goto step" type="submit" aria-label="edit Contact</pre>
step" value="0" class="usa-button usa-button--outline float-right padding-
left-105 padding-right-105 padding-top-1 padding-bottom-1 text-normal">
    Edit this page
  </button>
    </div>
    <h2 class="h1 margin-top-0 margin-bottom-0">Contact</h2>
    <div class="question">
      <h3 class="crt-portal-card subheader">Contact information</h3>
      <h4>Your name</h4>
      karol magistrelli
      <h4>Email address</h4>
      magistrellikarol13@gmail.com
      <h4>Phone number</h4>
      4802590618
      <h4>Address</h4>
      1504 stinson ave
      -
      cheyenne, Wyoming -
    </div>
    <h3 class="crt-portal-card_subheader">Are you now or have ever been an
active duty service member?</h3>
    No
  </div>
</div>
<div class="crt-portal-card">
  <div class="crt-portal-card content crt-portal-card content--lg margin-</pre>
bottom-3">
    <div class="button--review">
```

```
<button name="wizard goto step" type="submit" aria-label="edit Primary</pre>
concern step" value="1" class="usa-button usa-button--outline float-right
padding-left-105 padding-right-105 padding-top-1 padding-bottom-1 text-
normal">
    Edit this page
  </button>
    </div>
    <h2 class="h1 margin-top-0">Primary concern</h2>
    <h3 class="crt-portal-card_subheader">What is your primary reason for
contacting the Civil Rights Division?</h3>
    Something else happened
  </div>
</div>
<div class="crt-portal-card">
  <div class="crt-portal-card content crt-portal-card content--lg margin-</pre>
bottom-3">
    <div class="button--review" data-testid="edit-location">
  <button name="wizard goto step" type="submit" aria-label="edit Location</pre>
step" value="7" class="usa-button usa-button--outline float-right padding-
left-105 padding-right-105 padding-top-1 padding-bottom-1 text-normal">
    Edit this page
  </button>
    </div>
    <h2 class="h1 margin-top-0">Location</h2>
    <h3 class="crt-portal-card subheader">Where did this happen?</h3>
    <h4>Organization name</h4>
    judge james block zagel
    <h4>Address</h4>
    219 s. dearborn street
    -
    chicago, Illinois
  </div>
</div>
<div class="crt-portal-card">
  <div class="crt-portal-card content crt-portal-card content--lg margin-</pre>
bottom-3">
```



```
<div class="button--review">
  <button name="wizard goto step" type="submit" aria-label="edit Personal</pre>
characteristics step" value="8" class="usa-button usa-button--outline float-
right padding-left-105 padding-right-105 padding-top-1 padding-bottom-1 text-
normal">
    Edit this page
  </button>
    </div>
    <h2 class="h1 margin-top-0">Personal characteristics</h2>
    <h3 class="crt-portal-card subheader">Do you believe any of these
personal characteristics influenced why you were treated this way?</h3>
        Family, marital, or parental status
        Other reason
  </div>
</div>
<div class="crt-portal-card">
  <div class="crt-portal-card content crt-portal-card content--lg margin-</pre>
bottom-3">
    <div class="button--review">
  <button name="wizard goto step" type="submit" aria-label="edit Date step"</pre>
value="9" class="usa-button usa-button--outline float-right padding-left-105
padding-right-105 padding-top-1 padding-bottom-1 text-normal">
    Edit this page
  </button>
    </div>
    <h2 class="h1 margin-top-0">Date</h2>
    <h3 class="crt-portal-card_subheader">When did this happen?</h3>
    8/11/2022
  </div>
</div>
<div class="crt-portal-card">
  <div class="crt-portal-card_content crt-portal-card_content--lg margin-</pre>
bottom-3">
    <div class="button--review">
```

```
<button name="wizard goto step" type="submit" aria-label="edit Personal</pre>
description step" value="10" class="usa-button usa-button--outline float-
right padding-left-105 padding-right-105 padding-top-1 padding-bottom-1 text-
normal">
    Edit this page
  </button>
    </div>
    <h2 class="h1 margin-top-0">Personal description</h2>
    <h3 class="crt-portal-card subheader">In your own words, describe what
happened</h3>
    <div class="word-break">
      Judge Zagel according to Homeland Security witness protection
team civil rights division told me forged a motion for status quo and is
giving away my 1 million dollar inheritance from my father, my 2
inheritences from 2 uncles, my SEC and IRS awards, my tax refunds and my
entire JUDGMENT FUND FROM OPERATION GOLIATH A 14 YEAR FIASCO WHERE THE
GOVT WANTS TO STEAL EVERY DIME AND MAKE ME INDIGENT FOREVER. cold
that Judge Snow from Phoenix district court will come to wy to dismiss
everything as he was forging child support orders on me monthly x2 years
and now the Tallahassee police dept is forging them in order to
retaliate for my turning in org crime. I cannot stop the retaliation.
Ivanka trump kishmer is on ice I believe but kept up a running dialogue
coming afger me with aggravated battery and assault daily and stole all
the money listed above before her death. im left with only 848.00 a
month from my extorted SSA money and I do not owe child support. judge
zagel has 2 orders that he vacated it as far back as 2009. twice. but
nobody wants to believe it as they just want my money and maimed my
daughters in the process to shut me up forever.
    </div>
  </div>
</div>
<div class="margin-top-5">
<input id="submit-next-bottom" type="submit" value="Submit report"</pre>
class="usa-button">
    <div class="margin-top-2">
      <button name="wizard goto step" id="submit-report" type="submit"</pre>
label="previous step" value="10" class="usa-button usa-button--unstyled">
      </button>
    </div>
</div>
        </form>
```

</div>

</div>

```
<div id="unsupported_browser_modal" hidden="">
  <div class="modal-wrapper" role="dialog" aria-modal="true" aria-</pre>
describedby="modal dialog_header">
   <div class="modal-content modal-content--small">
   <div class="usa-alert usa-alert--warning usa-alert">
     <div class="usa-alert__body">
       <strong>NOTICE: Your mobile browser is not compatible with this
form</strong> and you may experience issues with form submission.
       Please consider downloading the latest version of Google Chrome,
Mozilla Firefox, Safari, or Microsoft Edge. <a id="ub_contact"
href="#contact-crt">You can also contact us by phone or mail here.</a>
       <a class="crt-button" id="ub close">
           <img src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/ic close.svg" class="icon" alt="close">Close
         </a>
       </div>
   </div>
 </div>
</div>
</div>
   </main>
   <footer class="usa-footer usa-footer--slim">
     <div class="usa-footer secondary-section">
       <div class="grid-container usa-footer__logo-section">
         <div class="usa-footer logo grid-row grid-gap-2">
           <div class="grid-col-auto">
            <img src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/doj-logo-footer.png" alt="" height="64">
           </div>
           <div class="grid-col-auto display-flex flex-column flex-justify-</pre>
center">
            U.S. Department of Justice
```



```
Civil Rights Division
              </div>
          </div>
        </div>
<div class="grid-container">
  <div class="grid-row">
    <div class="tablet:grid-col-5 grid-col-12">
      <div id="contact-footer" class="usa-footer__heading usa-footer__logo-</pre>
heading">
        Contact
        <div class="usa-footer separator"></div>
      </div>
      <div id="contact-crt" class="usa-footer contact">
        <div class="usa-footer section">
          <div class="usa-footer__icon">
            <img src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/mail.svg" alt="mail" class="icon">
          </div>
          <div id="address-footer" class="usa-footer links">
            U.S. Department of Justice
            Civil Rights Division
            950 Pennsylvania Avenue, NW
            Washington, D.C. 20530-0001
          </div>
        </div>
        <div class="usa-footer section">
          <div class="usa-footer__icon">
            <img src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/phone.svg" alt="phone" class="icon">
          </div>
          <div id="phone-footer" class="usa-footer__links">
            <a href="tel:202-514-3847">(202) 514-3847</a>
            <a href="\overline{\text{tel}:1-855-856-1247}">1-855-856-1247</a> (toll-
free) 
            Telephone Device for the Deaf
            (TTY) <a href="tel:202-514-0716">(202) 514-0716</a>
          </div>
        </div>
        <div class="usa-footer section">
          <div class="usa-footer icon usa-footer icon language">
            <img src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/globe-language.svg" alt="language" class="icon">
          </div>
          <div class="usa-footer links usa-footer_language">
```

```
<form action="/i18n/setlang/" method="post" class="usa-form"><input
type="hidden" name="csrfmiddlewaretoken"
value="MeopjhB0EROVCY4V3GP1YN26VLrTBMQW9hAH6BVwQq8sZjW1QyTqPtQQO0yfH389">
  <input name="next" type="hidden" value="">
  <div class="i8n-section">
    <select class="usa-select" id="i8n_select" name="language" aria-</pre>
label="select language">
       <option value="es">
         español
       </option>
       <option value="en" selected="selected">
         English
       </option>
        <option value="zh-hant">
         繁體中文
        Yoption>
        <option value="zh-hans">
         简体中文
        <option value="vi">
         Tiếng Việt
        </option>
        <option value="ko">
         한국어
        </option>
       <option value="t1">
         Tagalog
       </option>
   <input id="language-select" class="usa-button i8n-submit" type="submit"</pre>
value="Go">
 </div>
</form>
           <img src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/ic help-circle.svg" alt="help" class="icon">
             <a href="https://www.justice.gov/crt/availability-language-</pre>
               Availability of Language Assistance Services
             </a>
           </div>
       </div>
```

```
</div>
    </div>
    <div class="tablet:grid-col-1"></div>
    <div class="tablet:grid-col-6 grid-col-12">
      <div class="usa-footer heading usa-footer logo-heading">
        Links
        <div class="usa-footer separator"></div>
      </div>
      <nav class="usa-footer__nav" aria-label="Footer navigation,,">
        <div class="grid-row grid-gap">
          <div class="tablet:grid-col-6 grid-col-12 usa-footer links">
            <a href="https://www.justice.gov/crt/about">
              About the division
            <a href="https://civilrights.justice.gov/">
              Report a violation
            </a>
            <a href="https://civilrights.justice.gov/privacy-policy">
              Privacy policy
            <a href="https://www.justice.gov/crt/freedom-information-act-0">
              FOIA
            </a>
            <a href="https://www.justice.gov/accessibility/accessibility-</pre>
information">
              Accessibility
            <a href="https://www.justice.gov/">
              justice.gov
            </a>
          </div>
          <div class="tablet:grid-col-6 grid-col-12 usa-footer links">
            <a href="https://www.justice.gov/crt">
              Justice.gov/CRT
            <a href="https://oig.justice.gov/">
              Office of Inspector General
            </a>
            <a href="https://www.justice.gov/doj/budget-and-performance">
              Budget and performance
            </a>
            <a href="https://www.justice.gov/legalpolicies">
              Legal policies and Disclaimers
            <a href="https://www.usa.gov/">
              USA.gov
            </a>
            <a href="https://www.usa.gov/espanol/">
              USAGov en Español
            </a>
          </div>
        </div>
      </nav>
```



```
</div>
  </div>
</div>
     </div>
<div class="privacy-footer">
<div class="grid-container">
  <div class="grid-row">
   <div class="grid-col-12">
     <div class="usa-footer heading usa-footer logo-heading">
       Privacy Policy
       <div class="usa-footer separator"></div>
     </div>
     <div class="grid-row grid-gap">
       <div class="grid-col-12 usa-footer links" style="font-size: 14px">
         The purpose of this form is to allow the public to submit
civil rights complaints to the Department of Justice, thereby allowing
us to enforce over thirty <a href="https://civilrights.justice.gov/privacy-
policy#our-statutes">civil rights statutes</a>
within our authority. These statutes authorize us to collect this
information. You should know that any information you provide through
this form is voluntary, yet failure to provide some of the information
might limit the Department's ability to pursue your claim. We may use
this information for certain routine uses, including sharing this
information under certain circumstances with:
           contractors who work with us, if they need it to perform a
contract; 
             <a court, magistrate, or administrative tribunal, as well as</a>
opposing counsel during settlement negotiations and/or litigation; 
             Members of Congress;
             Federal, state, or local law enforcement agencies.
           You can find our complete <a</pre>
href="https://civilrights.justice.gov/privacy-policy">Privacy Policy
here</a>.
       </div>
     </div>
   </div>
 </div>
</div>
</div>
```

```
</footer>
    <script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/url params polyfill.min.js"></script>
    <script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/uswds.min.js"></script>
    <script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/focus alert.min.js"></script>
    <script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/clear error class.min.js"></script>
    <script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/banner language selection.min.js"></script>
<script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/disable submit button.min.js"></script>
<script nonce="">
  (function(root) {
    root.CRT = root.CRT || {);
    root.CRT.translations = {
      wordRemainingText: "word remaining",
      wordsRemainingText: " words remaining",
      wordLimitReachedText: " word limit reached"
    };
    root.CRT.stageNumber = 7
  }) (window)
</script>
<script src="Step%207%20Review%20-</pre>
$20Contact $20the $20Civil $20Rights $20Division $20Department $20of $20Justice file
s/word count.min.js"></script>
<script src="Step%207%20Review%20-</pre>
$20Contact$20The$20Civil$20Rights$20Division$20Department$20of$20Justice file
s/modal.min.js"></script>
<script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/unsupported browsers.min.js"></script>
<script src="Step%207%20Review%20-</pre>
%20Contact%20the%20Civil%20Rights%20Division%20Department%20of%20Justice file
s/contact info confirmation modal.min.js"></script>
    <script nonce="">
  (function(root) {
    if (root.CRT.isUnsupportedBrowser()) {
      var unsupportedBrowserModal =
document.getElementById('unsupported_browser_modal');
      root.CRT.openModal(unsupportedBrowserModal);
      var close el = document.getElementById('ub close');
      root.CRT.cancelModal(unsupportedBrowserModal, close el);
  }) (window);
```

</body></html>

The Polke Violand Everything in OUR Untred STATES CAWS Undueling The PREMITSLE Theres no Justice, no Domester tangoility no secured Roessings of Reberty As They stole KANOUS DAVERS CICENSE her RN license, her Sungerprint Carel, Mentheme In sunmice prelicable, 400/25 Bribes from Police 4 9 Pelos, to Deny KANOLS tood sommes in Wy Where hometers people only get 1000 a month which TS Final by The PHS
A legilatives.

#### **Preamble**

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

#### **ANNOTATIONS**

#### PURPOSE AND EFFECT OF THE PREAMBLE

Although the preamble is not a source of power for any department of the Federal Government, the Supreme Court has often referred to it as evidence of the origin, scope, and purpose of the Constitution. Its true office, wrote Joseph Story in his *Commentaries*, is to expound the nature and extent and application of the powers actually conferred by the Constitution, and not substantively to create them. For example, the preamble declares one object to be, 'provide for the common defense.' No one can doubt that this does not enlarge the powers of Congress to pass any measures which they deem useful for the common defense. But suppose the terms of a given power admit of two constructions, the one more restrictive, the other more liberal, and each of them is consistent with the words, but is, and ought to be, governed by the intent of the power; if one could promote and the other defeat the common defence, ought not the former, upon the soundest principles of interpretation, to be adopted?"

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Jacobson v. Massachusetts, 197 U.S. 11 (1905).

E.g., the Court has read the preamble as bearing witness to the fact that the Constitution emanated from the people and was not the act of sovereign and independent States. McCulloch v. Maryland, 17 U.S. (4 Wheat.) 316 (1819) Chisholm v. Georgia, 2 U.S. (2 Dall.) 419 (1793); Martin v. Hunter's Lessee, 14 U.S. (1 Wheat.) 304 (1816), and that it was made for, and is binding only in, the United States of America. Downes v. Bidwell, 182 U.S. 244 (1901); *In re* Ross, 140 U.S. 453, 464 (1891).

<sup>&</sup>lt;sup>2</sup> 1 J. STORY, COMMENTARIES ON THE CONSTITUTION OF THE UNITED STATES (Boston: 1833), 462. For a lengthy exegesis of the preamble phrase by phrase, see M. ADLER & EARLY (New York: 1975), 63–118.

# 18 U.S. Code § 1513 - Retaliating against a witness, victim, or an informant

#### <u>U.S. Code</u>

#### Notes

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(a)

(1)Whoever kills or attempts to kill another person with intent to retaliate against any person for—

(A)

the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

(B)

providing to a law enforcement officer any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings,

shall be punished as provided in paragraph (2).

(2)The punishment for an offense under this subsection is—

(A)

in the case of a killing, the punishment provided in sections 1111 and 1112; and

(B)

in the case of an attempt, imprisonment for not more than 30 years.

(b) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for—

(1)

the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

(2)

any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release,

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parole, or release pending judicial proceedings given by a person to a law enforcement officer;

or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(c)

If the retaliation occurred because of attendance at or testimony in a criminal case, the maximum term of imprisonment which may be imposed for the offense under this section shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

(d)

There is extraterritorial Federal jurisdiction over an offense under this section.

(e)

Whoever knowingly, with the intent to retaliate, takes any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any Federal offense, shall be fined under this title or imprisoned not more than 10 years, or both.

(f)

Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

(g)

A prosecution under this section may be brought in the district in which the official proceeding (whether pending, about to be instituted, or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.

(Added <u>Pub. L. 97–291, § 4(a)</u>, Oct. 12, 1982, <u>96 Stat. 1250</u>; amended <u>Pub. L. 103–322</u>, title VI, § 60017, title XXXIII, § 330016(1)(U), Sept. 13, 1994, <u>108 Stat. 1975</u>, 2148; <u>Pub. L. 104–214</u>, § 1(1), Oct. 1, 1996, <u>110 Stat. 3017</u>; <u>Pub. L. 107–204</u>, title XI, § 1107(a), July 30, 2002, <u>116 Stat. 810</u>; <u>Pub. L. 107–273</u>, div. B, title III, § 3001(b), (c)(2), title IV, § 4002(b)(4), Nov. 2, 2002, <u>116 Stat. 1804</u>, 1807; <u>Pub. L. 110–177</u>, title II, §§ 204, 206, Jan. 7, 2008, <u>121 Stat. 2537</u>.)



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# 18 U.S. Code § 2423 - Transportation of minors

### (a)TRANSPORTATION WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY.—

A person who knowingly transports an individual who has not attained the age of 18 years in interstate or foreign commerce, or in any commonwealth, territory or possession of the United States, with intent that the individual engage in prostitution, or in any <u>sexual activity for which any person can be charged with a criminal offense</u>, shall be fined under this title and imprisoned not less than 10 years or for life.

- (b)TRAVEL WITH INTENT TO ENGAGE IN ILLICIT SEXUAL CONDUCT.—
  A person who travels in interstate commerce or travels into the United States, or a United States citizen or an alien admitted for permanent residence in the United States who travels in foreign commerce, with a motivating purpose of engaging in any illicit sexual conduct with another person shall be fined under this title or imprisoned not more than 30 years, or both.
- (c) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOREIGN PLACES.—
  Any United States citizen or alien admitted for permanent residence who travels in foreign commerce or resides, either temporarily or permanently, in a foreign country, and engages in any illicit sexual conduct with another person shall be fined under this title or imprisoned not more than 30 years, or both.

#### (d)ANCILLARY OFFENSES.—

Whoever, for the purpose of commercial advantage or private financial gain, arranges, induces, procures, or facilitates the travel of a person knowing that such a person is traveling in interstate commerce or foreign commerce with a motivating purpose of engaging in <u>illicit sexual conduct</u> shall be fined under this title, imprisoned not more than 30 years, or both.

#### (e) ATTEMPT AND CONSPIRACY.—

Whoever attempts or conspires to violate subsection (a), (b), (c), or (d) shall be punishable in the same manner as a completed violation of that subsection.

(f)DEFINITION.—As used in this section, the term "illicit sexual conduct" means—

(1)

a sexual act (as defined in section 2246) with a person under 18 years of age that would be in violation of chapter 109A if the sexual act occurred in the special maritime and territorial jurisdiction of the United States;

(2) any commercial sex act (as defined in <u>section 1591</u>) with a person under 18 years of age; or

(3) production of child pornography (as defined in section 2256(8)).

#### (g)DEFENSE.-

In a prosecution under this section based on <u>illicit sexual conduct</u> as defined in subsection (f)(2), it is a defense, which the defendant must establish by clear and convincing evidence, that the defendant reasonably believed that the person with whom the defendant engaged in the commercial sex act had attained the age of 18 years.

(June 25, 1948, ch. 645, <u>62 Stat. 812; Pub. L. 95–225, §3(a)</u>, Feb. 6, 1978, <u>92 Stat. 8; Pub. L. 99–628, §5(b)(1)</u>, Nov. 7, 1986, <u>100 Stat.</u> 3511; <u>Pub. L. 103–322, title XVI, §160001(g)</u>, Sept. 13, 1994, <u>108 Stat.</u> 2037; <u>Pub. L. 104–71, §5</u>, Dec. 23, 1995, <u>109 Stat. 774; Pub. L. 104–294, title VI, §§601(b)(4), 604(b)(33), Oct. 11, 1996, <u>110 Stat. 3499,</u> 3508; <u>Pub. L. 105–314, title I, §103, Oct. 30, 1998, 112 Stat. 2976; Pub. L. 107–273, div. B, title IV, §4002(c)(1), Nov. 2, 2002, <u>116 Stat. 1808; Pub. L. 108–21, title I, §§103(a)(2)(C), (b)(2)(B), 105, Apr. 30, 2003, <u>117 Stat. 652, 653; Pub. L. 109–248, title II, §204, July 27, 2006, <u>120 Stat. 613; Pub. L. 113–4, title XII, §1211(b), Mar. 7, 2013, 127 Stat. 142; Pub. L. 114–22, title I, §111, May 29, 2015, <u>129 Stat. 240; Pub. L. 115–392, §14, Dec. 21, 2018, <u>132 Stat. 5256.</u>)</u></u></u></u></u></u>

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## 18 U.S. Code § 922 - Unlawful acts

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- (a)It shall be unlawful-
- (1)for any person—
- (A)

except a <u>licensed importer</u>, <u>licensed manufacturer</u>, or <u>licensed dealer</u>, to engage in the business of importing, manufacturing, or dealing in <u>firearms</u>, or in the course of such business to ship, transport, or receive any <u>firearm</u> in <u>interstate or foreign commerce</u>; or

(B)

except a <u>licensed importer</u> or <u>licensed manufacturer</u>, to engage in the business of importing or manufacturing <u>ammunition</u>, or in the course of such business, to ship, transport, or receive any <u>ammunition</u> in <u>interstate or foreign commerce</u>;

(2)for any importer, manufacturer, dealer, or collector licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce any firearm to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, except that—

(A)

this paragraph and subsection (b)(3) shall not be held to preclude a <u>licensed importer</u>, <u>licensed manufacturer</u>, <u>licensed dealer</u>, or <u>licensed collector</u> from returning a <u>firearm</u> or replacement <u>firearm</u> of the same kind and type to a person from whom it was received; and this paragraph shall not be held to preclude an individual from mailing a <u>firearm</u> owned in compliance with Federal, <u>State</u>, and local law to a <u>licensed importer</u>, <u>licensed</u> manufacturer, <u>licensed dealer</u>, or <u>licensed collector</u>;

(R)

this paragraph shall not be held to preclude a <u>licensed importer</u>, <u>licensed manufacturer</u>, or <u>licensed dealer</u> from depositing a <u>firearm</u> for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of <u>section 1715</u> of this title, is eligible to receive through the mails pistols, revolvers, and other <u>firearms</u> capable of being concealed on the person, for use in connection with his official duty; and

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- nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States;
- (C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any

possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States;

- for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, the State where it maintains a place of business) any firearm purchased or otherwise obtained by such person outside that State, except that this paragraph (A) shall not preclude any person who lawfully acquires a firearm by bequest or intestate succession in a State other than his State of residence from transporting the firearm into or receiving it in that State, if it is lawful for such person to purchase or possess such firearm in that State, (B) shall not apply to the transportation or receipt of a firearm obtained in conformity with subsection (b)(3) of this section, and (C) shall not apply to the transportation of any firearm acquired in any State prior to the effective date of this chapter;
- (4)
  for any person, other than a licensed importer, licensed
  manufacturer, licensed dealer, or licensed collector, to transport in interstate
  or foreign commerce any destructive device, machinegun (as defined in
  section 5845 of the Internal Revenue Code of 1986), short-barreled
  shotgun, or short-barreled rifle, except as specifically authorized by
  the Attorney General consistent with public safety and necessity;
- for any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) to transfer, sell, trade, give, transport, or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) who

the transferor knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the transferor resides; except that this paragraph shall not apply to (A) the transfer, transportation, or delivery of a firearm made to carry out a bequest of a firearm to, or an acquisition by intestate succession of a firearm by, a person who is permitted to acquire or possess a firearm under the laws of the State of his residence, and (B) the loan or rental of a firearm to any person for temporary use for lawful sporting purposes;

(6)

for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such importer, manufacturer, dealer, or collector with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter;

- (7) for any person to manufacture or import armor piercing ammunition, unless—
- (A)

the manufacture of such ammunition is for the use of the United States, any department or agency of the United States, any State, or any department, agency, or political subdivision of a State;

(B)

the manufacture of such ammunition is for the purpose of exportation; or

(C)

the manufacture or importation of such ammunition is for the purpose of testing or experimentation and has been authorized by the Attorney General;

- (8) for any manufacturer or importer to sell or deliver armor piercing ammunition, unless such sale or delivery—
- (A)

is for the use of the United States, any department or agency of the United States, any State, or any department, agency, or political subdivision of a State;

(B)

is for the purpose of exportation; or

(C)

is for the purpose of testing or experimentation and has been authorized by the Attorney General; [1]

(9)

for any person, other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, who does not reside in any State to receive any firearms unless such receipt is for lawful sporting purposes.

- (b)It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector to sell or deliver—
- any firearm or ammunition to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, and, if the firearm, or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifle, to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age;
- any firearm to any person in any State where the purchase or possession by such person of such firearm would be in violation of any State law or any published ordinance applicable at the place of sale, delivery or other disposition, unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State law or such published ordinance;
- any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located, except that this paragraph (A) shall not apply to the sale or delivery of any rifle or shotgun to a resident of a State other than a State in which the licensee's place of business is located if the transferee meets in person with the transferor to accomplish the transfer, and the sale, delivery, and receipt fully comply with the legal conditions of sale in both such States (and any licensed manufacturer, importer or dealer shall be presumed, for purposes of this subparagraph, in the absence of evidence to the contrary, to have had actual knowledge of the State laws and published ordinances of both States), and (B) shall not apply to the loan or rental of a firearm to any person for temporary use for lawful sporting purposes;
- (4)
  to any person any destructive device, machinegun (as defined in section 5845 of the Internal Revenue Code of 1986), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Attorney General consistent with public safety and necessity; and
- any firearm or armor-piercing ammunition to any person unless the licensee notes in his records, required to be kept pursuant to section 923 of this

chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3), and (4) of this subsection shall not apply to

Paragraphs (1), (2), (3), and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, licensed dealers, and licensed collectors. Paragraph (4) of this subsection shall not apply to a sale or delivery to any research organization designated by the Attorney General.

(c)In any case not otherwise prohibited by this chapter, a licensed importer, licensed manufacturer, or licensed dealer may sell a firearm to a person who does not appear in person at the licensee's business premises (other than another licensed importer, manufacturer, or dealer) only if—

the transferee submits to the transferor a sworn statement in the following form:

"Subject to penalties provided by law, I swear that, in the case of any firearm other than a shotgun or a rifle, I am twenty-one years or more of age, or that, in the case of a shotgun or a rifle, I am eighteen years or more of age; that I am not prohibited by the provisions of chapter 44 of title 18, United States Code, from receiving a firearm in interstate or foreign commerce; and that my receipt of this firearm will not be in violation of any statute of the State and published ordinance applicable to the locality in which I reside. Further, the true title, name, and address of the principal law enforcement officer of the locality to which the firearm will be delivered are

Signature	Date	″				
and containing	blank spaces for	the attac	chment of a	true cop	y of any pe	ermit
or other informa	ation required p	ursuant to	o such state	ute or pub	lished	
ordinance;						

the transferor has, prior to the shipment or delivery of the firearm, forwarded by registered or certified mail (return receipt requested) a copy of the sworn statement, together with a description of the firearm, in a form prescribed by the Attorney General, to the chief law enforcement officer of the transferee's place of residence, and has received a return receipt evidencing delivery of the statement or has had the statement returned due to the refusal of the named addressee to accept such letter in accordance with United States Post Office Department regulations; and

(3)

the transferor has delayed shipment or delivery for a period of at least seven days following receipt of the notification of the acceptance or refusal of delivery of the statement.

A copy of the sworn statement and a copy of the notification to the local law enforcement officer, together with evidence of receipt or rejection of that notification shall be retained by the licensee as a part of the records required to be kept under section 923(g).

(d)It shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person—

(1)

is under indictment for, or has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

(2)

is a fugitive from justice;

(3)

is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

(4)

has been adjudicated as a mental defective or has been committed to any mental institution;

(5)who, being an alien—

(A)

is illegally or unlawfully in the United States; or

(B)

except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

(6)

who [2] has been discharged from the Armed Forces under dishonorable conditions;

**(7)** 

who, having been a citizen of the United States, has renounced his citizenship;

(8)is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

(A)

was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

(B)

(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii)

by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(9)

has been convicted in any court of a misdemeanor crime of domestic violence.

This subsection shall not apply with respect to the sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, licensed dealer, or licensed collector who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

(e)

It shall be unlawful for any person knowingly to deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers, licensed dealers, or licensed collectors, any package or other container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped; except that any passenger who owns or legally possesses a firearm or ammunition being transported aboard any common or contract carrier for movement with the passenger in interstate or foreign commerce may deliver said firearm or ammunition into the custody of the pilot, captain, conductor or operator of such common or contract carrier for the duration of the trip without violating any of the provisions of this chapter. No common or contract carrier shall require or cause any label, tag, or other written notice to be placed on the outside of any package, luggage, or other container that such package, luggage, or other container contains a firearm.

(f) (1)

It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

It shall be unlawful for any common or contract carrier to deliver in interstate or foreign commerce any firearm without obtaining written

acknowledgement of receipt from the recipient of the package or other container in which there is a firearm.

(g) It shall be unlawful for any person—

(1)

who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

(2)

who is a fugitive from justice;

(3)

who is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

(4)

who has been adjudicated as a mental defective or who has been committed to a mental institution;

(5) who, being an alien—

(A)

is illegally or unlawfully in the United States; or

(B)

except as provided in subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

(6)

who has been discharged from the Armed Forces under dishonorable conditions;

**(7)** 

who, having been a citizen of the United States, has renounced his citizenship;

(8) who is subject to a court order that—

(A)

was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

(B)

restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(C)

(i)

includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii)



by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(9)

who has been convicted in any court of a misdemeanor crime of domestic violence,

to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

- (h)It shall be unlawful for any individual, who to that individual's knowledge and while being employed for any person described in any paragraph of subsection (g) of this section, in the course of such employment—
- (1) to receive, possess, or transport any firearm or ammunition in or affecting interstate or foreign commerce; or
- (2) to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.
- (i)
  It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.
- (j)
  It shall be unlawful for any person to receive, possess, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, which is moving as, which is a part of, which constitutes, or which has been shipped or transported in, interstate or foreign commerce, either before or after it was stolen, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.
- It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm which has had the importer's or manufacturer's serial number removed, obliterated, or altered or to possess or receive any firearm which has had the importer's or manufacturer's serial number removed, obliterated, or altered and has, at any time, been shipped or transported in interstate or foreign commerce.
- Except as provided in section 925(d) of this chapter, it shall be unlawful for any person knowingly to import or bring into the United States or any

possession thereof any firearm or ammunition; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

#### (m)

It shall be unlawful for any licensed importer, licensed manufacturer, licensed dealer, or licensed collector knowingly to make any false entry in, to fail to make appropriate entry in, or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

(n)

It shall be unlawful for any person who is under indictment for a crime punishable by imprisonment for a term exceeding one year to ship or transport in interstate or foreign commerce any firearm or ammunition or receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

(o)

(1)

Except as provided in paragraph (2), it shall be unlawful for any person to transfer or possess a machinegun.

- (2) This subsection does not apply with respect to—
- (A)

a transfer to or by, or possession by or under the authority of, the United States or any department or agency thereof or a State, or a department, agency, or political subdivision thereof; or

(B)

any lawful transfer or lawful possession of a machinegun that was lawfully possessed before the date this subsection takes effect.

(p)

(1)It shall be unlawful for any person to manufacture, import, sell, ship, deliver, possess, transfer, or receive any firearm—

(A)

that, after removal of grips, stocks, and magazines, is not as detectable as the Security Exemplar, by walk-through metal detectors calibrated and operated to detect the Security Exemplar; or

(B)

any major component of which, when subjected to inspection by the types of x-ray machines commonly used at airports, does not generate an image that accurately depicts the shape of the component. Barium sulfate or other compounds may be used in the fabrication of the component.

(2)For purposes of this subsection—

(A)



the term "firearm" does not include the frame or receiver of any such weapon;

(B)

the term "major component" means, with respect to a firearm, the barrel, the slide or cylinder, or the frame or receiver of the firearm; and

**(C)**the term "Security Exemplar" means an object, to be fabricated at the direction of the Attorney General, that is—

(i)

constructed of, during the 12-month period beginning on the date of the enactment of this subsection, 3.7 ounces of material type 17-4 PH stainless steel in a shape resembling a handgun; and

(ii)

suitable for testing and calibrating metal detectors:

Provided, however, That at the close of such 12-month period, and at appropriate times thereafter the Attorney General shall promulgate regulations to permit the manufacture, importation, sale, shipment, delivery, possession, transfer, or receipt of firearms previously prohibited under this subparagraph that are as detectable as a "Security Exemplar" which contains 3.7 ounces of material type 17–4 PH stainless steel, in a shape resembling a handgun, or such lesser amount as is detectable in view of advances in state-of-the-art developments in weapons detection technology.

(3)

Under such rules and regulations as the Attorney General shall prescribe, this subsection shall not apply to the manufacture, possession, transfer, receipt, shipment, or delivery of a firearm by a licensed manufacturer or any person acting pursuant to a contract with a licensed manufacturer, for the purpose of examining and testing such firearm to determine whether paragraph (1) applies to such firearm. The Attorney General shall ensure that rules and regulations adopted pursuant to this paragraph do not impair the manufacture of prototype firearms or the development of new technology.

(4)

The Attorney General shall permit the conditional importation of a firearm by a licensed importer or licensed manufacturer, for examination and testing to determine whether or not the unconditional importation of such firearm would violate this subsection.

(5)This subsection shall not apply to any firearm which—

(A)

has been certified by the Secretary of Defense or the Director of Central Intelligence, after consultation with the Attorney General and the Administrator of the Federal Aviation Administration, as necessary for military or intelligence applications; and



- (B) is manufactured for and sold exclusively to military or intelligence agencies of the United States.
- This subsection shall not apply with respect to any firearm manufactured in, imported into, or possessed in the United States before the date of the enactment of the Undetectable Firearms Act of 1988.
- (q)(1)The Congress finds and declares that—
- (A) crime, particularly crime involving drugs and guns, is a pervasive, nationwide problem;
- (B) crime at the local level is exacerbated by the interstate movement of drugs, guns, and criminal gangs;
- firearms and ammunition move easily in interstate commerce and have been found in increasing numbers in and around schools, as documented in numerous hearings in both the Committee on the Judiciary [3] the House of Representatives and the Committee on the Judiciary of the Senate;
- in fact, even before the sale of a firearm, the gun, its component parts, ammunition, and the raw materials from which they are made have considerably moved in interstate commerce;
- while criminals freely move from State to State, ordinary citizens and foreign visitors may fear to travel to or through certain parts of the country due to concern about violent crime and gun violence, and parents may decline to send their children to school for the same reason;
- the occurrence of violent crime in school zones has resulted in a decline in the quality of education in our country;
- this decline in the quality of education has an adverse impact on interstate commerce and the foreign commerce of the United States;
- States, localities, and school systems find it almost impossible to handle gun-related crime by themselves—even States, localities, and school systems that have made strong efforts to prevent, detect, and punish gun-related crime find their efforts unavailing due in part to the failure or inability of other States or localities to take strong measures; and (I)

the Congress has the power, under the interstate commerce clause and other provisions of the Constitution, to enact measures to ensure the integrity and safety of the Nation's schools by enactment of this subsection.

(2)

(A)

It shall be unlawful for any individual knowingly to possess a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a school zone.

(B)Subparagraph (A) does not apply to the possession of a firearm—

(i)

on private property not part of school grounds;

(ii)

if the individual possessing the firearm is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State or political subdivision requires that, before an individual obtains such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under law to receive the license;

(iii)that is—

(I)

not loaded; and

(II)

in a locked container, or a locked firearms rack that is on a motor vehicle;

(iv)

by an individual for use in a program approved by a school in the school zone;

(v)

by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;

(vi)

by a law enforcement officer acting in his or her official capacity; or

(vii)

that is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.

(3)

(A)

Except as provided in subparagraph (B), it shall be unlawful for any person, knowingly or with reckless disregard for the safety of another, to discharge

or attempt to discharge a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the person knows is a school zone.

(B)Subparagraph (A) does not apply to the discharge of a firearm—

(i)

on private property not part of school grounds;

(ii)

as part of a program approved by a school in the school zone, by an individual who is participating in the program;

(iii)

by an individual in accordance with a contract entered into between a school in a school zone and the individual or an employer of the individual; or

(iv)

by a law enforcement officer acting in his or her official capacity.

(4)

Nothing in this subsection shall be construed as preempting or preventing a State or local government from enacting a statute establishing gun free school zones as provided in this subsection.

- (r)It shall be unlawful for any person to assemble from imported parts any semiautomatic rifle or any shotgun which is identical to any rifle or shotgun prohibited from importation under section 925(d)(3) of this chapter as not being particularly suitable for or readily adaptable to sporting purposes except that this subsection shall not apply to—
- the assembly of any such rifle or shotgun for sale or distribution by a licensed manufacturer to the United States or any department or agency thereof or to any State or any department, agency, or political subdivision thereof; or
- (2)

the assembly of any such rifle or shotgun for the purposes of testing or experimentation authorized by the Attorney General.

- (s)
- (1)Beginning on the date that is 90 days after the date of enactment of this subsection and ending on the day before the date that is 60 months after such date of enactment, it shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer a handgun (other than the return of a handgun to the person from whom it was received) to an individual who is not licensed under section 923, unless—
- (A)after the most recent proposal of such transfer by the transferee—
  (i)the transferor has—

(I) received from the transferee a statement of the transferee containing the information described in paragraph (3);

#### (II)

verified the identity of the transferee by examining the identification document presented;

#### (III)

within 1 day after the transferee furnishes the statement, provided notice of the contents of the statement to the chief law enforcement officer of the place of residence of the transferee; and

#### (IV)

within 1 day after the transferee furnishes the statement, transmitted a copy of the statement to the chief law enforcement officer of the place of residence of the transferee; and

(ii)

(I)

5 business days (meaning days on which State offices are open) have elapsed from the date the transferor furnished notice of the contents of the statement to the chief law enforcement officer, during which period the transferor has not received information from the chief law enforcement officer that receipt or possession of the handgun by the transferee would be in violation of Federal, State, or local law; or

#### (II)

the transferor has received notice from the chief law enforcement officer that the officer has no information indicating that receipt or possession of the handgun by the transferee would violate Federal, State, or local law;

(B)

the transferee has presented to the transferor a written statement, issued by the chief law enforcement officer of the place of residence of the transferee during the 10-day period ending on the date of the most recent proposal of such transfer by the transferee, stating that the transferee requires access to a handgun because of a threat to the life of the transferee or of any member of the household of the transferee;

(C)

(i)the transferee has presented to the transferor a permit that—

**(I)** 

allows the transferee to possess or acquire a handgun; and

(II)

was issued not more than 5 years earlier by the State in which the transfer is to take place; and

(ii)

the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of the law;

(D)

the law of the State requires that, before any licensed importer, licensed manufacturer, or licensed dealer completes the transfer of a handgun to an individual who is not licensed under section 923, an authorized government official verify that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of law;

(E)

the Attorney General has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

(F)on application of the transferor, the Attorney General has certified that compliance with subparagraph (A)(i)(III) is impracticable because—
(i)

the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

(ii)

the business premises of the transferor at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer; and

(iii)

there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

(2)

A chief law enforcement officer to whom a transferor has provided notice pursuant to paragraph (1)(A)(i)(III) shall make a reasonable effort to ascertain within 5 business days whether receipt or possession would be in violation of the law, including research in whatever State and local recordkeeping systems are available and in a national system designated by the Attorney General.

(3)The statement referred to in paragraph (1)(A)(i)(I) shall contain only—(A)

the name, address, and date of birth appearing on a valid identification document (as defined in section 1028(d)(1)[4]) of the transferee containing a photograph of the transferee and a description of the identification used;

(B)a statement that the transferee—

(i)

is not under indictment for, and has not been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year, and has not been convicted in any court of a misdemeanor crime of domestic violence;

(ii)

is not a fugitive from justice;

(iii)

is not an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act);

(iv)

has not been adjudicated as a mental defective or been committed to a mental institution;

(v)is not an alien who—

(I)

is illegally or unlawfully in the United States; or

(II)

subject to subsection (y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)));

(vi)

has not been discharged from the Armed Forces under dishonorable conditions; and

(vii)

is not a person who, having been a citizen of the United States, has renounced such citizenship;

(C)

the date the statement is made; and

(D)

notice that the transferee intends to obtain a handgun from the transferor.

(4)Any transferor of a handgun who, after such transfer, receives a report from a chief law enforcement officer containing information that receipt or possession of the handgun by the transferee violates Federal, State, or local law shall, within 1 business day after receipt of such request, communicate any information related to the transfer that the transferor has about the transfer and the transferee to—

(A)

the chief law enforcement officer of the place of business of the transferor; and

(B)

the chief law enforcement officer of the place of residence of the transferee.

(5)

Any transferor who receives information, not otherwise available to the public, in a report under this subsection shall not disclose such information except to the transferee, to law enforcement authorities, or pursuant to the direction of a court of law.

(6) (A)

Any transferor who sells, delivers, or otherwise transfers a handgun to a transferee shall retain the copy of the statement of the transferee with respect to the handgun transaction, and shall retain evidence that the transferor has complied with subclauses (III) and (IV) of paragraph (1)(A)(i) with respect to the statement.

- (B)Unless the chief law enforcement officer to whom a statement is transmitted under paragraph (1)(A)(i)(IV) determines that a transaction would violate Federal, State, or local law—
- (i) the officer shall, within 20 business days after the date the transferee made the statement on the basis of which the notice was provided, destroy the statement, any record containing information derived from the statement, and any record created as a result of the notice required by paragraph (1)(A)(i)(III);
- (ii) the information contained in the statement shall not be conveyed to any person except a person who has a need to know in order to carry out this subsection; and
- (iii) the information contained in the statement shall not be used for any purpose other than to carry out this subsection.
- If a chief law enforcement officer determines that an individual is ineligible to receive a handgun and the individual requests the officer to provide the reason for such determination, the officer shall provide such reasons to the individual in writing within 20 business days after receipt of the request.
- (7)A chief law enforcement officer or other person responsible for providing criminal history background information pursuant to this subsection shall not be liable in an action at law for damages—
- for failure to prevent the sale or transfer of a handgun to a person whose receipt or possession of the handgun is unlawful under this section; or
- for preventing such a sale or transfer to a person who may lawfully receive or possess a handoun.
- For purposes of this subsection, the term "chief law enforcement officer" means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.
- (9)

The Attorney General shall take necessary actions to ensure that the provisions of this subsection are published and disseminated to licensed dealers, law enforcement officials, and the public.

(t)

(1)Beginning on the date that is 30 days after the Attorney General notifies licensees under section 103(d) of the Brady Handgun Violence Prevention Act that the national instant criminal background check system is established, a licensed importer, licensed manufacturer, or licensed dealer shall not transfer a firearm to any other person who is not licensed under this chapter, unless—

(A)

before the completion of the transfer, the licensee contacts the national instant criminal background check system established under section 103 of that Act;

(B)

(i)

the system provides the licensee with a unique identification number; or

- 3 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and
- (C)

the transferor has verified the identity of the transferee by examining a valid identification document (as defined in section 1028(d) of this title) of the transferee containing a photograph of the transferee.

- (2)If receipt of a firearm would not violate subsection (g) or (n) or State law, the system shall—
- (A)

assign a unique identification number to the transfer;

(B)

provide the licensee with the number; and

(C)

destroy all records of the system with respect to the call (other than the identifying number and the date the number was assigned) and all records of the system relating to the person or the transfer.

- (3)Paragraph (1) shall not apply to a firearm transfer between a licensee and another person if—
- (A)
- (i) such other person has presented to the licensee a permit that—
- **(I)**

allows such other person to possess or acquire a firearm; and

#### (II)

was issued not more than 5 years earlier by the State in which the transfer is to take place; and

(ii)

the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by such other person would be in violation of law;

(B)

the Attorney General has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

(C)on application of the transferor, the Attorney General has certified that compliance with paragraph (1)(A) is impracticable because—

(i)

the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

(ii)

the business premises of the licensee at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer (as defined in subsection (s)(8)); and

(iii)

there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

(4)

If the national instant criminal background check system notifies the licensee that the information available to the system does not demonstrate that the receipt of a firearm by such other person would violate subsection (g) or (n) or State law, and the licensee transfers a firearm to such other person, the licensee shall include in the record of the transfer the unique identification number provided by the system with respect to the transfer.

(5)

If the licensee knowingly transfers a firearm to such other person and knowingly fails to comply with paragraph (1) of this subsection with respect to the transfer and, at the time such other person most recently proposed the transfer, the national instant criminal background check system was operating and information was available to the system demonstrating that receipt of a firearm by such other person would violate subsection (g) or (n) of this section or State law, the Attorney General may, after notice and opportunity for a hearing, suspend for not more than 6 months or revoke any license issued to the licensee under section 923, and may impose on the licensee a civil fine of not more than \$5,000.

(6)Neither a local government nor an employee of the Federal Government or of any State or local government, responsible for providing information to the national instant criminal background check system shall be liable in an action at law for damages—

(A)

for failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful under this section; or

(B)

for preventing such a sale or transfer to a person who may lawfully receive or possess a firearm.

(u)

It shall be unlawful for a person to steal or unlawfully take or carry away from the person or the premises of a person who is licensed to engage in the business of importing, manufacturing, or dealing in firearms, any firearm in the licensee's business inventory that has been shipped or transported in interstate or foreign commerce.

[(v)]

, (w) Repealed. Pub. L. 103-322, title XI, § 110105(2), Sept. 13, 1994, 108 Stat. 2000.]

(x)

(1)It shall be unlawful for a person to sell, deliver, or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile—

(A)

a handgun; or

(B)

ammunition that is suitable for use only in a handgun.

(2)It shall be unlawful for any person who is a juvenile to knowingly possess—

(A)

a handgun; or

(B)

ammunition that is suitable for use only in a handgun.

- (3)This subsection does not apply to—
- (A)a temporary transfer of a handgun or ammunition to a juvenile or to the possession or use of a handgun or ammunition by a juvenile if the handgun and ammunition are possessed and used by the juvenile—

(i) in the course of employment, in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or

ranch), target practice, hunting, or a course of instruction in the safe and lawful use of a handgun;

(ii) with the prior written consent of the juvenile's parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm, except—

(I)

during transportation by the juvenile of an unloaded handgun in a locked container directly from the place of transfer to a place at which an activity described in clause (i) is to take place and transportation by the juvenile of that handgun, unloaded and in a locked container, directly from the place at which such an activity took place to the transferor; or

(II)

with respect to ranching or farming activities as described in clause (i), a juvenile may possess and use a handgun or ammunition with the prior written approval of the juvenile's parent or legal guardian and at the direction of an adult who is not prohibited by Federal, State or local law from possessing a firearm;

(iii)

the juvenile has the prior written consent in the juvenile's possession at all times when a handgun is in the possession of the juvenile; and

(iv)

in accordance with State and local law;

(B)

a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun in the line of duty;

(C)

a transfer by inheritance of title (but not possession) of a handgun or ammunition to a juvenile; or

(D)

the possession of a handgun or ammunition by a juvenile taken in defense of the juvenile or other persons against an intruder into the residence of the juvenile or a residence in which the juvenile is an invited guest.

(4)

A handgun or ammunition, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation of this subsection shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when such handgun or ammunition is no longer required by the Government for the purposes of investigation or prosecution.

(5)

For purposes of this subsection, the term "juvenile" means a person who is less than 18 years of age.

(6)

(A)

In a prosecution of a violation of this subsection, the court shall require the presence of a juvenile defendant's parent or legal guardian at all proceedings.

(B)

The court may use the contempt power to enforce subparagraph (A).

(C)

The court may excuse attendance of a parent or legal guardian of a juvenile defendant at a proceeding in a prosecution of a violation of this subsection for good cause shown.

### (y)Provisions Relating to Aliens Admitted Under Nonimmigrant Visas.—

(1) DEFINITIONS.—In this subsection—

(A)

the term "alien" has the same meaning as in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)); and

(B)

the term "nonimmigrant visa" has the same meaning as in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26)).

(2) Exceptions.—Subsections (d)(5)(B), (g)(5)(B), and (s)(3)(B)(v)(II) do not apply to any alien who has been lawfully admitted to the United States under a nonimmigrant visa, if that alien is—

(A)

admitted to the United States for lawful hunting or sporting purposes or is in possession of a hunting license or permit lawfully issued in the United States;

(B)an official representative of a foreign government who is—

(i)

accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or

(ii)

en route to or from another country to which that alien is accredited;

(C)

an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or

(D)

a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

(3)WAIVER.—



- (A)Conditions for waiver.—Any individual who has been admitted to the United States under a nonimmigrant visa may receive a waiver from the requirements of subsection (g)(5), if—
- the individual submits to the Attorney General a petition that meets the requirements of subparagraph (C); and
- (ii)

the Attorney General approves the petition.

- (B)Petition.—Each petition under subparagraph (B) shall—
- demonstrate that the petitioner has resided in the United States for a continuous period of not less than 180 days before the date on which the petition is submitted under this paragraph; and
- (ii)

include a written statement from the embassy or consulate of the petitioner, authorizing the petitioner to acquire a firearm or ammunition and certifying that the alien would not, absent the application of subsection (g)(5)(B), otherwise be prohibited from such acquisition under subsection (g).

- (C)Approval of petition.—The Attorney General shall approve a petition submitted in accordance with this paragraph, if the Attorney General determines that waiving the requirements of subsection (g)(5)(B) with respect to the petitioner—
- (i)

would be in the interests of justice; and

(ii)

would not jeopardize the public safety.

- (z)Secure Gun Storage or Safety Device.—
- (1)IN GENERAL.—

Except as provided under paragraph (2), it shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer any handgun to any person other than any person licensed under this chapter, unless the transferee is provided with a secure gun storage or safety device (as defined in section 921(a)(34)) for that handgun.

- (2)EXCEPTIONS.—Paragraph (1) shall not apply to—
- (A)
- (i)

the manufacture for, transfer to, or possession by, the United States, a department or agency of the United States, a State, or a department, agency, or political subdivision of a State, of a handgun; or

(ii)



the transfer to, or possession by, a law enforcement officer employed by an entity referred to in clause (i) of a handgun for law enforcement purposes (whether on or off duty); or

(B)

the transfer to, or possession by, a rail police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State of a handgun for purposes of law enforcement (whether on or off duty);

(C)

the transfer to any person of a handgun listed as a curio or relic by the Secretary pursuant to section 921(a)(13); or

(D)

the transfer to any person of a handgun for which a secure gun storage or safety device is temporarily unavailable for the reasons described in the exceptions stated in section 923(e), if the licensed manufacturer, licensed importer, or licensed dealer delivers to the transferee within 10 calendar days from the date of the delivery of the handgun to the transferee a secure gun storage or safety device for the handgun.

#### (3)LIABILITY FOR USE.—

#### (A)In general.—

Notwithstanding any other provision of law, a person who has lawful possession and control of a handgun, and who uses a secure gun storage or safety device with the handgun, shall be entitled to immunity from a qualified civil liability action.

#### (B)Prospective actions.—

A qualified civil liability action may not be brought in any Federal or State court.

- **(C)**Defined term.—As used in this paragraph, the term "qualified civil liability action"—
- (i)means a civil action brought by any person against a person described in subparagraph (A) for damages resulting from the criminal or unlawful misuse of the handgun by a third party, if—
- (I)

the handgun was accessed by another person who did not have the permission or authorization of the person having lawful possession and control of the handgun to have access to it; and

(II)

at the time access was gained by the person not so authorized, the handgun had been made inoperable by use of a secure gun storage or safety device; and

(ii)

shall not include an action brought against the person having lawful possession and control of the handgun for negligent entrustment or negligence per se.

#### [APPENDIX A Repealed. Pub. L. 103-322, title XI, §110105(2), Sept. 13, 1994, 108 Stat. 2000]

(Added Pub. L. 90−351, title IV, § 902, June 19, 1968, 82 Stat. 228; amended Pub. L. 90-618, title I, § 102, Oct. 22, 1968, 82 Stat. 1216; Pub. L. 97-377, title I, § 165(a), Dec. 21, 1982, 96 Stat. 1923; Pub. L. 99-308, § 102, May 19, 1986, 100 Stat. 451; Pub. L. 99-408, § 2, Aug. 28, 1986, 100 Stat. 920; Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100-649, § 2(a), (f)(2)(A), Nov. 10, 1988, 102 Stat. 3816, 3818; Pub. L. 100-690, title VII, § 7060(c), Nov. 18, 1988, 102 Stat. 4404; Pub. L. 101-647, title XVII, § 1702(b)(1), title XXII, §§ 2201, 2202, 2204(b), title XXXV, § 3524, Nov. 29, 1990, 104 Stat. 4844, 4856, 4857, 4924; Pub. L. 103–159, title I, § 102(a)(1), (b), title III, § 302(a)–(c), Nov. 30, 1993, 107 Stat. 1536, 1539, 1545; Pub. L. 103-322, title XI, §§ 110102(a), 110103(a), 110105(2), 110106, 110201(a), 110401(b), (c), 110511, 110514, title XXXII, §§ 320904, 320927, title XXXIII, § 330011(i), Sept. 13, 1994, 108 Stat. 1996, 1998, 2000, 2010, 2014, 2019, 2125, 2131, 2145; Pub. L. 104-208, div. A, title I, § 101(f) [title VI, §§ 657, 658(b)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-369, 3009-372; Pub. L. 104–294, title VI, § 603(b), (c)(1), (d)–(f)(1), (g), Oct. 11, 1996, 110 Stat. 3503, 3504; Pub. L. 105-277, div. A, § 101(b) [title I, § 121], Oct. 21, 1998, 112 Stat. 2681-50, 2681-71; Pub. L. 107-273, div. B, title IV, §4003(a)(1), Nov. 2, 2002, 116 Stat. 1811; Pub. L. 107-296, title XI, § 1112(f)(4), (6), Nov. 25, 2002, 116 Stat. 2276; Pub. L. 109-92, §§ 5(c)(1), 6(a), Oct. 26, 2005, 119 Stat. 2099, 2101; Pub. L. 114-94, div. A, title XI, § 11412(c)(2), Dec. 4, 2015, 129 Stat. 1688.)

# 18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant Done Knowingly & y

(a)

(1)Whoever kills or attempts to kill another person, with intent to—

all Policy

(A)

prevent the attendance or testimony of any person in an official proceeding;

(B) prevent the production of a record, document, or other object, in an official proceeding; or

. (C)

prevent the communication by any person to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

(2)Whoever uses physical force or the threat of physical force against any person, or attempts to do so, with intent to—

(A)

influence, delay, or prevent the testimony of any person in an official proceeding;

(B)cause or induce any person to—

(i)

withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(ii)

alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in an official proceeding;

(iii)

evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(iv)

be absent from an official proceeding to which that person has been summoned by legal process; or

(C)

hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings;

shall be punished as provided in paragraph (3).

(3)The punishment for an offense under this subsection is—

(A)

in the case of a killing, the punishment provided in sections 1111 and 1112;

- (B)in the case of—
- (i)

an attempt to murder; or

(ii)

the use or attempted use of physical force against any person; imprisonment for not more than 30 years; and

(C)

in the case of the threat of use of physical force against any person, imprisonment for not more than 20 years.

- **(b)**Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—
- (1)

influence, delay, or prevent the testimony of any person in an official proceeding;

(2) cause or induce any person to—

(A)

withhold testimony, or withhold a record, document, or other object, from an official proceeding;

- (B)
- alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding;
- (C)

evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(D)

be absent from an official proceeding to which such person has been summoned by legal process; or

(3)

hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of



probation [1] supervised release,,[1] parole, or release pending judicial proceedings;

shall be fined under this title or imprisoned not more than 20 years, or both. (c)Whoever corruptly—

(1)

alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or

- (2)
- otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so,
- shall be fined under this title or imprisoned not more than 20 years, or both.
- (d)Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—
- (1)

attending or testifying in an official proceeding;

- (2)
- reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense or a violation of conditions of probation <sup>1</sup> supervised release,, <sup>1</sup> parole, or release pending judicial proceedings;
- (3)

arresting or seeking the arrest of another person in connection with a Federal offense; or

- (4)
- causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in such prosecution or proceeding;

or attempts to do so, shall be fined under this title or imprisoned not more than 3 years, or both.

(e)

In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

- (f)For the purposes of this section—
- **(1)**

an official proceeding need not be pending or about to be instituted at the time of the offense; and

(2)

the testimony, or the record, document, or other object need not be admissible in evidence or free of a claim of privilege.

(g)In a prosecution for an offense under this section, no state of mind need be proved with respect to the circumstance—

(1)

that the official proceeding before a judge, court, magistrate judge, grand jury, or government agency is before a judge or court of the United States, a United States magistrate judge, a bankruptcy judge, a Federal grand jury, or a Federal Government agency; or

(2)

that the judge is a judge of the United States or that the law enforcement officer is an officer or employee of the Federal Government or a person authorized to act for or on behalf of the Federal Government or serving the Federal Government as an adviser or consultant.

(h)

There is extraterritorial Federal jurisdiction over an offense under this section.

(i)

A prosecution under this section or <u>section 1503</u> may be brought in the district in which the official proceeding (whether or not pending or about to be instituted) was intended to be affected or in the district in which the conduct constituting the alleged offense occurred.

- (j)If the offense under this section occurs in connection with a trial of a criminal case, the maximum term of imprisonment which may be imposed for the offense shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.
- **(k)**Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

(Added Pub. L. 97–291, § 4(a), Oct. 12, 1982, 96 Stat. 1249; amended Pub. L. 99–646, § 61, Nov. 10, 1986, 100 Stat. 3614; Pub. L. 100–690, title VII, § 7029(a), (c), Nov. 18, 1988, 102 Stat. 4397, 4398; Pub. L. 101–650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117; Pub. L. 103–322, title VI, § 60018, title XXXIII, § 330016(1)(O), (U), Sept. 13, 1994, 108 Stat. 1975, 2148; Pub. L. 104–214, § 1(2), Oct. 1, 1996, 110 Stat. 3017; Pub. L. 104–294, title VI, § 604(b)(31), Oct. 11, 1996, 110 Stat. 3508; Pub. L. 107–204, title XI, § 1102, July 30, 2002, 116 Stat. 807; Pub. L. 107–273, div. B, title III, § 3001(a), (c)(1), Nov. 2, 2002, 116 Stat. 1803, 1804; Pub. L. 110–177, title II, § 205, Jan. 7, 2008, 121 Stat. 2537.)



## 18 U.S. Code § 2113 - Bank robbery and incidental crimes

Whoever, by force and violence, or by intimidation, takes, or attempts to take, from the person or presence of another, or obtains or attempts to obtain by extortion any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank, credit union, or any savings and loan association; or Whoever enters or attempts to enter any bank, credit union, or any savings and loan association, or any building used in whole or in part as a bank, credit union, or as a savings and loan association, with intent to commit in such bank, credit union, or in such savings and loan association, or building, or part thereof, so used, any felony affecting such bank, credit union, or such savings and loan association and in violation of any statute of the United States, or any larceny—

Shall be fined under this title or imprisoned not more than twenty years, or both.

- (b) Whoever takes and carries away, with intent to steal or purloin, any property or money or any other thing of value exceeding \$1,000 belonging to, or in the care, custody, control, management, or possession of any bank, credit union, or any savings and loan association, shall be fined under this title or imprisoned not more than ten years, or both; or Whoever takes and carries away, with intent to steal or purloin, any property or money or any other thing of value not exceeding \$1,000 belonging to, or in the care, custody, control, management, or possession of any bank, credit union, or any savings and loan association, shall be fined under this title or imprisoned not more than one year, or both.
- (c) Whoever receives, possesses, conceals, stores, barters, sells, or disposes of, any property or money or other thing of value which has been taken or stolen from a bank, credit union, or savings and loan association in violation of subsection (b), knowing the same to be property which has been stolen shall be subject to the punishment provided in subsection (b) for the taker.
- (d) Whoever, in committing, or in attempting to commit, any offense defined in subsections (a) and (b) of this section, assaults any person, or puts in jeopardy the life of any person by the use of a dangerous weapon or



device, shall be fined under this title or imprisoned not more than twentyfive years, or both.

- (e) Whoever, in committing any offense defined in this section, or in avoiding or attempting to avoid apprehension for the commission of such offense, or in freeing himself or attempting to free himself from arrest or confinement for such offense, kills any person, or forces any person to accompany him without the consent of such person, shall be imprisoned not less than ten years, or if death results shall be punished by death or life imprisonment.
- (f) As used in this section the term "bank" means any member bank of the Federal Reserve System, and any bank, banking association, trust company, savings bank, or other banking institution organized or operating under the laws of the United States, including a branch or agency of a foreign bank (as such terms are defined in paragraphs (1) and (3) of section 1(b) of the <u>International Banking Act of 1978</u>), and any institution the deposits of which are insured by the Federal Deposit Insurance Corporation. (g) As used in this section the term "credit union" means any Federal credit union and any State-chartered credit union the accounts of which are insured by the National Credit Union Administration Board, and any "Federal credit union" as defined in section 2 of the Federal Credit Union Act. The term "State-chartered credit union" includes a credit union chartered under the laws of a State of the United States, the District of Columbia, or any commonwealth, territory, or possession of the United States. (h)As used in this section, the term "savings and loan association" means— (1) a Federal savings association or State savings association (as defined in section 3(b) of the <u>Federal Deposit Insurance Act</u> (12 U.S.C. 1813(b))) having accounts insured by the Federal Deposit Insurance Corporation; and **(2)**
- a corporation described in section 3(b)(1)(C) of the Federal Deposit Insurance Act (12 U.S.C. 1813(b)(1)(C)) that is operating under the laws of the United States. (June 25, 1948, ch. 645, 62 Stat. 796; Aug. 3, 1950, ch. 516, 64 Stat. 394; Apr. 8, 1952, ch. 164, 66 Stat. 46; Pub. L. 86-354, § 2, Sept. 22, 1959, 73 Stat. 639; Pub. L. 91-468, § 8, Oct. 19, 1970, 84 Stat. 1017; Pub. L. 98-473, title II, § 1106, Oct. 12, 1984, 98 Stat. 2145; Pub. L. 99-646, § 68, Nov. 10, 1986, 100 Stat. 3616; Pub. L. 101-73, title IX, § 962(a)(7), (d), Aug. 9, 1989, 103 Stat. 502, 503; Pub. L. 101-647, title XXV, § 2597(/), Nov. 29, 1990, 104 Stat. 4911; Pub. L. 103-322, title VI, § 60003(a)(9), title XXXII, § 320608, title XXXIII, § 330016(1)(K), (L), Sept. 13, 1994, 108 Stat. 1969, 2120, 2147; Pub. L. 104-294, title VI, § 606(a), 607(d), Oct. 11, 1996, 110 Stat. 3511; Pub. L. 107-273, div. B, title IV, § 4002(d)(1)(C)(ii), Nov. 2, 2002, 116 Stat. 1809.)

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